



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/986,253

11/08/2001

Tomoyuki Ohno

35.C15940

5016

5514

7590

10/18/2006

FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

MILIA, MARK R

ART UNIT

PAPER NUMBER

2625

DATE MAILED: 10/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/986,253

Applicant(s)

OHNO ET AL.

Examiner

Mark R. Milia

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 69-80 and 82 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 69-80 and 82 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/23/06 and 7/28/06 has been entered. Currently, claims 69-80 and 82 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 69-80 and 82 have been considered but are moot in view of the current amendment to the claims, therefore a new ground(s) of rejection will be made. The applicant asserts, of pages 9-11 of the remarks received on 6/23/06, that the reference of Narushima fails to disclose analyzing print additional information indicating an attribute of the print data, included in the received television broadcasting data, and to display data for the analyzed print additional information. The examiner agrees that the reference of Narushima (US 6870571) does not disclose displaying print additional information before the user initiates a print request. Narushima does however disclose print additional information such as the size of the

image content (see column 13 lines 24-31). Narushima also discloses displaying print additional information during the execution of a print request, such as an out-of-paper error or paper jam. The applicant further asserts, on pages 11-12 of the remarks received on 6/23/06, that the reference of Nabeta (JP 07-076155) does not disclose the displayed print execution time information as being included in a television broadcasting data transmitted from a television broadcasting station. The examiner agrees that the print execution time information that is displayed in Nabeta is not included in television broadcast data. However, Nabeta discloses print execution time information (print additional information) that accompanies print data and is displayed on a display for a user to view. Narushima discloses send print additional information along with print data included in television broadcasting data. Therefore, the combination of Narushima and Nabeta disclose all the limitations as set forth in claim 69 and 73. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the display of print execution time information, as described by Nabeta, with the digital broadcasting system of Narushima because both references deal with printing of image data as the main focus and Narushima even suggests (or at the very least acknowledges) that additional information can be displayed to aid the user in the printing process (see column 13 lines 24-56 and column 14 lines 17-23).

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 69-80 and 82 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narushima (US 6870571) in view of Nabeta (JP 07-076155).

Regarding claims 69, 75, and 82, Narushima discloses a television broadcasting data receiving apparatus, comprising: a receiving unit adapted to receive television broadcasting data which was subjected to multiplexing (see column 4 lines 49-55, column 8 lines 15-20, and column 9 line 21-column 11 line 5), an acquiring unit adapted to acquire print data and program attribute information, included in the television broadcasting data received by said receiving unit (see column 9 line 21-column 11 line 5, column 15 lines 5-36, column 16 line 46-column 17 line 6, and column 21 line 64-column 23 line 35), an analyzing unit adapted to analyze print additional information indicating an attribute of the print data, included in the program attribute information acquired by said acquiring unit (see column 9 line 21-column 11 line 5, column 13 lines 24-56, column 15 lines 5-36, column 16 line 46-column 17 line 6, and column 21 line 64-column 23 line 35), receiving print additional information together with program data included in the television broadcasting data received by said receiving unit (see column 13 lines 24-56) and a display control unit adapted to output, to a display device on the basis of the print additional information, display data for displaying the print additional information (see column 13 lines 24-56).

Narushima does not disclose expressly displaying to a display device on the basis of the print additional information analyzed by said analyzing unit, display data for displaying the print additional information analyzed by said analyzing unit, together with program data.

Nabeta discloses displaying to a display device on the basis of the print additional information analyzed by said analyzing unit, display data for displaying the print additional information analyzed by said analyzing unit, together with program (print data) data (see abstract and paragraphs [0005], [0006], and [0015]).

Narushima & Nabeta are combinable because they are from the same field of endeavor, displaying and printing of desired information.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the display of the wait time until a print job is complete, as described by Nabeta, with the system of Narushima.

The suggestion/motivation for doing so would have been to provide a way to inform a user of the time it will take to print a job to alleviate the chance of a user accidentally trying to print an image a plurality of times.

Therefore, it would have been obvious to combine Nabeta with Narushima to obtain the invention as specified in claims 69, 75, and 82.

Regarding claims 70 and 76, Narushima further discloses wherein said acquiring unit acquires the program attribute information associated with the program data displayed by said display device (see column 9 line 21-column 11 line 5, column 15

lines 5-36, column 16 line 46-column 17 line 6, and column 21 line 64-column 23 line 35).

Regarding claims 71 and 77, Narushima further discloses an accepting unit adapted to accept a printing instruction from a user (see column 13 lines 35-43 and column 15 lines 5-36), and a print controlling unit adapted to control the output of the print data to a print device on the basis of the printing instruction (see column 16 line 46-column 17 line 6 and column 22 line 49-column 23 line 35), wherein said accepting unit accepts the printing instruction from the user in a period during which said display controlling unit effects a display which indicates that printing based on the print additional information is possible (see column 15 lines 5-45 and column 21 line 64-column 23 line 35).

Regarding claims 72 and 78, Narushima further discloses an accepting unit adapted to accept a storing instruction from a user (see column 13 lines 35-43 and column 15 lines 5-36), and a storage controlling unit adapted to store the print data in a storage unit on the basis of the storing instruction (see Figs. 8 and 20 "140" and column 24 line 29-column 25 line 20), wherein said accepting unit accepts the storing instruction from the user in a period during which said display controlling unit effects a display which indicates that storing based on the print additional information is possible (see column 15 lines 5-45 and column 24 line 29-column 25 line 20).

Regarding claims 73 and 79, Nabeta further discloses wherein the print additional information includes information for specifying a transmission period of time of the print data, and wherein said display controlling unit displays a print execution time

of the print data on the basis of the transmission period (see abstract and paragraphs [0005], [0006], and [0015]).

Regarding claims 74 and 80, Narushima further discloses wherein in case that there are a plurality of types of print additional information to be displayed by said display device, said display controlling unit displays the respective display data associated with the plurality of types of print additional information so that the display of each of the respective display data is switched over therebetween at a predetermined time interval (see Fig. 10, column 13 lines 24-56, and column 15 line 5-column 16 line 45).

Conclusion

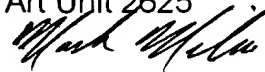
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark R. Milia whose telephone number is (571) 272-7408. The examiner can normally be reached M-F 8:00am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler M. Lamb can be reached at (571) 272-7406. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2625

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Mark R. Milia
Examiner
Art Unit 2625



MRM



TWYLER LAMB
SUPERVISORY PATENT EXAMINER